# A2 IPV AC

#### A. Interpretation: The aff may not defend a handgun ban for individuals convicted of misdemeanor-level stalking crimes and intimate partner violence offenders in non-cohabitating dating relationships

#### B. Violation:

#### C. Standards:

1. Textual accuracy. You have not banned the possession of handguns just because there are restraints on ownership. By analogy, the US hasn’t banned the possession of cars just because 13 year olds can’t drive or because you can forfeit your license. Thus, endorsing the plan doesn’t entail endorsing the resolution. The literature confirms this interpretation – endorsing ownership of guns is consistent with limits on who owns them.

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**If there is a moral right to gun ownership, it will have limits.** For example, it might apply to long guns and handguns but not machine guns or assault weapons. The scope of weapons that the right encompasses might be limited by the legitimate purposes of gun ownership and the uses to which particular types of guns are ordinarily put. Also **limited will be the scope of its possessors: children, the seriously mentally ill, felons, and others will be excluded as unfit to possess firearms**.

#### And textual accuracy is an independent voter. A) generally, it’d be better to avoid slightly deviations from the topic, even if each deviation is arguably better than the actual topic. It creates a world with zero predictability or substantive clash B) it’s unfair to go to a tournament where everyone agrees to debate a topic and then enforce your own C) topicality by definition means you can only justify an interpretation of *the* topic, not a different one you wish we had picked.

#### 2) Ground.

#### A. the AFF has inherent truth value – we all tend to agree that we should keep dangerous weapons away from dangerous people. The neg’s left fighting an uphill battle.

Shazam Kianpour, DOMESTIC VIOLENCE: CONVICTIONS CAN CHANGE EVERYTHING, http://www.shazamlaw.com/Articles/Domestic-Violence-Convictions-Can-Change-Everything.shtml

Domestic violence can destroy a family. Not only does the physical abuse result in pain and suffering for the victim, but the long-term mental anguish also can make it difficult for everyone involved in the situation. Even false allegations of domestic violence can create problems that can forever change a person's life. Because of the emotionally-charged nature of these crimes, many people simply plead guilty to try to make the matter disappear, often without realizing the implications of their actions.

#### B. you defend a subset of the rez. That non uniques the vast majority of generics like politics, case turns about murder rates etc.

#### C. it’s only been implemented on a very small scale, like cities, so that severely 1. limits neg literature, which advantages an intuitive 1ac.

#### 2. Kills topic education – there’s a handful of articles on this aff and there are not well researched.

#### 3. makes debates irresolvable – there’s no lit that guides us. The debate is small so we deal with a lot of speculation that leads to intervention.

## States CP

#### CP Text: The 50 state governments and relevant sub-federal actors ought to ban the private ownership of handguns for persons convicted of intimate, family, or dating partner violence, stalkers, and persons with restraining orders filed against them. State ban is effective.

Ruth Marcus, 10-23-2015, "Eliminate gun loopholes for domestic abusers," Washington Post, https://www.washingtonpost.com/opinions/the-boyfriend-gap-in-gun-laws/2015/10/23/d8f55c6a-79a0-11e5-bc80-9091021aeb69\_story.html

As to the loopholes: One study of female murder victims in 10 cities found that 76 percent of women murdered by a current or former intimate partner experienced stalking in the preceding year. The share of victims killed in dating situations is rising; nearly half of those killed by intimate partners in 2008 were murdered by boyfriends, according to the Bureau of Justice Statistics.¶And in the 17 states that have expanded gun prohibitions to those subject to temporary restraining orders, overall intimate-partner homicides fell by nearly one-fifth. Nor do violent abusers simply turn to other methods when deprived of guns; according to Michigan State University criminologist April Zeoli, prohibiting those subject to domestic-violence restraining orders from having guns reduces not only firearm homicides but also murders by other means.

## Federalism DA

#### State power increasing now especially in the area of gun law- federal gridlock.

Shanna Rose\* and Cynthia J. Bowling 15, †, The State of American Federalism 2014–15: Pathways to Policy in an Era of Party Polarization\*Claremont McKenna College, srose{at}cmc.edu †Auburn University,http://publius.oxfordjournals.org/content/45/3/351.full

The state of American federalism in 2014–2015 is characterized by inertia and centrifugal force. Party polarization and divided government exacerbate gridlock at the federal level as President Obama faces Republican majorities in both houses of Congress. Policy activity has shifted outward to state legislatures and citizens, the federal and state executive branches, and the court system, creating a diverse set of alternative institutional pathways and outcomes. Some policies, like Medicaid and K-12 education, are largely shaped by federal-state executive branch negotiations, leading to individualized state programs. Other policies—such as marijuana, gun, and immigration laws—are made by state legislatures or citizens acting through the initiative process. Meanwhile, a series of court decisions has doubled the number of states where same-sex marriage is legal. In the current political context, American federalism is characterized by a substantial dispersion of power and a variety of pathways to policy-making.¶ The state of American federalism in 2014–2015 is characterized by inertia and centrifugal force. As partisan gridlock continues to stall the passage of federal legislation, policy activity has shifted outward to other venues: state legislatures, voters (through the ballot initiative process), the federal and state executive branches, and the court system. As this diverse set of political actors has expanded the patchwork of federal and state laws, the result has been further fragmentation of many policy arenas. However, there are also some new signs of convergence in other areas.¶ In the 2014 annual review of American federalism, J. Mitchell Pickerill and Cynthia J. Bowling observed that “the predominant theme across the country for several years has been partisan gridlock at the federal level, whereas state governments have been activist and more productive than their federal counterpart” (Pickerill and Bowling 2014, 370–371). Divided government and partisan polarization have contributed to an unprecedented lack of federal legislative productivity in recent years. By contrast, as of 2015, three-fifths of the states have unified party control of the executive and legislative branches, contributing to greater legislative productivity at the state level. Pickerill and Bowling observe that, as a result, the federal government “seems to be increasingly sitting on the sideline as states pursue their own agendas” (Pickerill and Bowling 2014, 394). These trends have continued into 2015.¶ In 2014–2015, a continued lack of federal legislative productivity meant that policy activity shifted away from Congress toward other venues within the federal system. First, 2014 and 2015 saw continued legislative and direct democracy activity at the state level. Several states passed legislation legalizing medical marijuana, expanding Medicaid eligibility under the Affordable Care Act (ACA), or extending educational benefits for immigrant students. Elsewhere, voters passed ballot initiatives legalizing the use of marijuana for recreational purposes or increasing the state minimum wage.¶ Second, 2014 and 2015 saw considerable executive and administrative action. At the federal level, President Barack Obama’s inability to push his immigration reform agenda through Congress led him to use an executive order (whose legality was subsequently challenged by state officials). Although federal marijuana policy remained unchanged on the books, it nonetheless shifted significantly with the Obama Administration’s decision not to enforce federal marijuana statutes in states where the drug’s recreational use is legal. At the state level, several governors negotiated Medicaid waivers with the Obama Administration, allowing them to ignore certain features of federal Medicaid law and also overcome resistance to the ACA among conservative state legislators. Further, the number of states with No Child Left Behind (NCLB) waivers—which grant states flexibility and relief from certain provisions of the federal education law—reached forty-three. Thus, in the health care and education policy arenas, the details of how states implement federal law are increasingly being negotiated by executive officials “outside of the floodlit legislative process,” raising concerns about democratic accountability (Kincaid 2001, 22).¶

#### US leadership is preserved by the balance of federalism. Rivlin 92

Alice Rivlin, Brookings Institution, Reviving the American Dream: The Economy, The States, and the Federal Government,

1992.

The inexorably rising frequency and complexity of U.S. interaction with the rest of the world add to the stress on federal¶ decisionmaking processes and underline the need for making those processes simpler and more effective. If the United¶ States is to be an effective world leader, it cannot afford a cumbersome national government overlapping responsibilities¶ between the federal government and the states, and confusion over which level is in charge of specific domestic¶ government functions. As the world shrinks, international concerns will continue threatening to crowd out domestic policy¶ on the federal agenda. Paradoxically, however, effective domestic policy is now more crucial than ever precisely because¶ it is essential to U.S. leadership in world affairs. Unless we have a strong productive economy, a healthy, well-educated¶ population, and a responsive democratic government, we will not be among the major shapers of the future of this¶ interdependent world. If the American standard of living is falling behind that of other countries and its government¶ structure is paralyzed, the United States will find its credibility in world councils eroding. International considerations¶ provide additional rationale, if more were needed, for the United States to have a strong effective domestic policy. One¶ answer to this paradox is to rediscover the strengths of our federal system, the division of labor between the states¶ and the national government. Washington not only has too much to do, it has taken on domestic responsibilities that¶ would be handled better by the states. Revitalizing the economy may depend on restoring a cleaner division of¶ responsibility between the states and the national government.

#### B. Nuclear war. Khalizad 95

Zalmay Khalilzad, RAND, The Washington Quarterly, Spring 1995

Under the third option, the United States would seek to retain global leadership and to preclude the rise of a global rival or a¶ return to multipolarity for the indefinite future. On balance, this is the best long-term guiding principle and vision. Such a¶ vision is desirable not as an end in itself, but because **a world in which the** **U**nited **S**tates **exercises** **leadership would have**¶ **tremendous advantages.** First, **the global environment** **would be more** open and more **receptive** **to** American values --¶ **democracy, free markets, and the rule of law.** Second, **such a world would have a better chance** **of dealing cooperatively**¶ **with** the world's major problems, such as **nuclear prolif**eration, threats of regional hegemony by **renegade states, and** lowlevel¶ **conflicts**. Finally, **U.S. leadership would help preclude the rise of a**nother **hostile** global **rival, enabling the** United¶ States and **the world to** **avoid** another **global** cold or hot war and all the attendant dangers, including a global **nuclear**¶ **exchange**. **U.S. leadership would** therefore **be more conducive to global stability** than a bipolar or a multipolar balance of¶ power system.

### Race impact

omitted

## Solvency Turns

### Substitution

Individuals will substitute up to rifles and shotguns—concealment and cost not an issue. Kleck 96:

Policy Lessons from Recent Gun Control Research Author(s): Gary Kleck Source: Law and Contemporary Problems, Vol. 49, No. 1, Gun Control (Winter, 1986), pp. 35-62 Published by: Duke University School of Law

In the context of gun control measures aimed at all types of long guns (such as rifles and shotguns) as well as handguns, weapon substitution refers to the possibility that offenders deprived of guns could substitute other, less deadly weapons. When the emphasis shifts to measures aimed exclusively or primarily at handguns, however, the substitution issue changes in a crucial way. An offender who has been blocked only from getting a handgun (or even more narrowly, a Saturday Night Special) is not likely to regard a knife or club as the best available substitute. Rather, his deadliest, most intimidating alternative, either for defensive purposes or for furthering a crime, is a rifle or shotgun. While these weapons are not as concealable as a handgun, concealability is not important to most gun crimes. For those crimes in which it is important, sawed-off shotguns or rifles generally provide sufficient concealability. Further, since the average handgun used in crime is of fairly good quality and correspondingly expensive, many rifles and shotguns are no more expensive than the handguns, making cost no obstacle to substitution.58

**Long gun substitution is 10 times more deadly and likely to happen—surveys prove. Kleck 2:**

Policy Lessons from Recent Gun Control Research Author(s): Gary Kleck Source: Law and Contemporary Problems, Vol. 49, No. 1, Gun Control (Winter, 1986), pp. 35-62 Published by: Duke University School of Law

Long gun substitution is a very undesirable prospect because rifles and shotguns, depending on caliber or gauge and the ammunition used, can be anywhere from one and one-half to ten times as deadly as handguns.59 It is unlikely that criminals willing to violate the strongest social and legal prohibitions against violence would conscientiously opt for only the least deadly varieties of long guns and ammunition.60 Unless this occurred, however, the result of an effective handgun-only measure would be an increase in criminal homicide deaths. The precise extent of this increase would depend on two parameters: the fraction of assault-prone people, otherwise inclined to use handguns, who would substitute long guns in their assaults (the substitution fraction), and the ratio of the deadliness of the substituted long guns to the deadliness of handguns which otherwise would have been used in the absence of handgun controls (the deadliness ratio). The higher either parameter is, the more likely it would be that the net effect of the measure would be an increase in the number of homicides. If X is used for the substitution fraction and Y is used for the deadliness ratio, the relationship between the two has been computed as 8649.19 X = 6827.53Y-455.581 at the point where there is neither a net gain nor a net loss from the handgunonly policy.61 If X is larger, then Y must be smaller in order to prevent an increase in homicides.62 It is difficult to know for sure what type of long guns and ammunition would be substituted by criminals if handguns were not available, so the magnitude of the deadliness ratio is not certain. An estimate of three or four seems reasonable. That is, the substituted long guns would be about three to four times as likely to produce a death as handguns currently used in assaults. As to the size of the substitution fraction, the best estimate comes from the Wright and Rossi prison survey.63 Inmates were asked what they would do if they wanted to carry a handgun but could not obtain one. Among those prisoners who reported they had committed crimes with a gun "many times," "most of the time," or "all of the time," seventy-two percent said that they would carry a sawed-off shotgun or rifle instead.64 Substitution of long guns in ownership would almost certainly be higher, since many people would acquire a long gun as a substitute for owning a handgun, but would not carry it as frequently as they would their handgun. Thus, substitution in carrying might be about seventy-two percent but substitution in ownership could be anywhere from seventy-two to one hundred percent.

A handgun only ban would increase the rate of homicides. Concealability is easily fixable and domestic shootings are likely to skyrocket. Kopel 92:

Banning Handguns? By David B. Kopel http://www.davekopel.org/2A/OpEds/OpEdBanGun.htm 1992

The time has come to eliminate handguns from American society, suggests Rhode Island's Senator Chafee, sponsor of legislation to confiscate all handguns in private hands. America's public health epidemic of gun violence proves the need for gun control, he argues. Unfortunately, Senator Chafee's proposed cure -- the confiscation of all handguns -- would make the national disease of violence even worse. If the Chafee bill succeeds at wiping out the American handgun supply, thousands of additional people will die of gunshot wounds every year. The reason for this counterintuitive result? The Chafee bill eliminates handguns, but leaves long guns -- which are much deadlier -- uncontrolled. Most people who are shot with handguns survive, and most people who are shot with shotguns die. As the Annals of Surgery put it: "Shotgun injuries have not been compared with other bullet wounds of the abdomen as they are a thing apart...[A]t close range, they are as deadly as a cannon." From a criminal's point of view, a sawed-off long gun is a good substitute for a handgun. In five minutes a criminal can hacksaw a rifle or a shotgun down to an 11 inch length; the new weapon is about as concealable as a 12 inch TEC-9 pistol or a 9 inch Ruger revolver -- and much more lethal. According to a National Institute of Justice survey of felony prisoners, 75% of the "handgun predators" (those who specialized in handgun crime) said that if handguns became unavailable, they would switch to sawed-off shoulder weapons. Even if only a third of criminals switched from handguns to long guns, fatalities would still increase sharply. Unlike street criminals, persons who own were guns at home do not care about concealability, and thus would be especially likely to buy long guns if handgun illegal. Most people fearful enough to think they need a loaded handgun for protection would not give up the idea of armed defense simply because one type of gun became unavailable.

### Generic Violence

**1. Empirics show strict gun control isn’t effective and aff studies don’t show causation.**

Kopel 1993:

David Kopel. Saint Louis University Public Law Review Volume 12, 1993 Symposium: Violence, Crime and Punishment \*285 PERIL OR PROTECTION? THE RISKS AND BENEFITS OF HANDGUN PROHIBITION

[48] In Switzerland, handguns are readily obtainable after a person obtains a simple police permit which is valid for three months. [49] During the three months, the permit holder may buy as many handguns as he wishes, and purchases are generally not registered. Fifteen of the twenty-six cantons, representing about 57% of the population, have permit procedures for carrying handguns (some of which make permits difficult to obtain); the other cantons, representing 43% of the population, have no rules requiring a person carrying a loaded handgun to obtain any permission at all. [50] In England and Wales, the homicide rate per 100,000 population is 1.1; in Scotland (for which government statistics have always been recorded separately) the rate is 1.7. In Switzerland, where the handgun laws are immensely more lenient than in Great Britain, the rate is 1.1. [51] In the nine-country study detailed above, Switzerland had the third-lowest homicide rate, even though its handgun laws are less restrictive than all countries in the study except the United States. [52] (Indeed, most of the American states with high homicide rates have stricter handgun laws than Switzerland.) [53]

2. International meta analyses prove that gun control increases crime rates—their international statistics have flawed causality. Kates and Mauser 07:

WOULD BANNING FIREARMS REDUCE MURDER AND SUICIDE? A REVIEW OF INTERNATIONAL AND SOME DOMESTIC EVIDENCE DON B. KATES\* AND GARY MAUSER\*􀀫􀀨􀀬􀀱􀀲􀀱􀀯􀀬􀀱􀀨 Citation: 30 Harv. J.L. & Pub. Pol'y 649 2006-2007

A second misconception about the relationship between firearms and violence attributes Europe's generally low homicide rates to stringent gun control. That attribution cannot be accurate since **murder in Europe was at an all-time low before** the **gun controls** were introduced.13 For instance, virtually the only English gun control during the nineteenth and early twentieth centuries was the practice that police patrolled without guns. During this period **gun control** prevailed far **less in** England or **Europe** **than** **in** certain **American states which** nevertheless **had**-and continue to have-**murder rates that were** and are comparatively very **high**.14 In this connection, two recent studies are pertinent. In 2004, **the U.S. National Academy of Sciences released its evaluation from a review of 253 journal articles**, **99 books, 43 government publications, and some original empirical research**. **It failed to identify any gun control that had reduced violent crime**, **suicide, or gun accidents**.15 The same conclusion was reached in 2003 by the U.S. Centers for Disease Control's review of thenextant studies.1 6 Stringent gun controls were not adopted in England and Western Europe until after World War I. Consistent with the outcomes of the recent American studies just mentioned, these strict controls did not stem the general trend of ever-growing violent crime throughout the post-WWII industrialized world including the United States and Russia. Professor Malcolm's study of English gun law and violent crime summarizes that nation's nineteenth and twentieth century experience as follows: The peacefulness England used to enjoy was not the result of strict gun laws. **When it had no firearms restrictions** [nineteenth and early twentieth century] **England had little violent crime,** while the present extraordinarily stringent gun controls have not stopped the increase in violence or even the increase in armed violence.17 **Armed crime, never a problem in England, has now become one.**

3. Gun bands are ineffective. 36 countries prove. Kates and Mauser 2:

WOULD BANNING FIREARMS REDUCE MURDER AND SUICIDE? A REVIEW OF INTERNATIONAL AND SOME DOMESTIC EVIDENCE DON B. KATES\* AND GARY MAUSER\*􀀫􀀨􀀬􀀱􀀲􀀱􀀯􀀬􀀱􀀨 Citation: 30 Harv. J.L. & Pub. Pol'y 649 2006-2007

One reason the extent of gun ownership in a society does not spur the murder rate is that murderers are not spread evenly throughout the population. Analysis of perpetrator studies shows that violent criminals -especially murderers- "almost uniformly have a long history of involvement in criminal behavior. 13 7 So it would not appreciably raise violence if all lawabiding, responsible people had firearms because they are not the ones who rape, rob, or murder.38 By the same token, **violent crime would not fall if guns were totally banned to civilians.** As the respective examples of Luxembourg and Russia suggest,39 individuals who commit violent crimes will either find guns despite severe controls or will find other weapons to use. 40 Startling as the foregoing may seem, it represents the crossnational norm, not some bizarre departure from it. If the mantra "more guns equal more death and fewer guns equal less death" were true, broad based cross-national comparisons should show that nations with higher gun ownership per capita consistently have more death. Nations with higher gun ownership rates, however, do not have higher murder or suicide rates than those with lower gun ownership. Indeed many high gun ownership nations have much lower murder rates. Consider, for example, the wide divergence in murder rates among Continental European nations with widely divergent gun ownership rates. **The non-correlation between gun ownership and murder is reinforced by examination of statistics from larger numbers of nations** across the developed world. **Comparison** of "homicide and suicide mortality data **for thirty-six nations** (including the United States) for the period 1990-1995" to gun ownership levels **showed "no significant** (at the 5% level) **association** between gun ownership levels and the total homicide rate." 41 Consistent with this is a later European study of data from 21 nations in which "no significant correlations [of gun ownership levels] with total suicide or homicide rates were found. '42

# 2N

### Textuality first

textuality controls the internal link to fairness a) division of ground- framers of the rez choose topics to divide ground evenly so consistency with their intention is more likely to prove that b) predictability – debaters come prepared to debate the topic, I can’t engage args I can’t predict.